

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA

UNITED STATES OF AMERICA,

Plaintiff,

v. // CRIMINAL ACTION NO. 1:10CR100
(Judge Keeley)

JOHN KANIOS,

Defendant.

ORDER ADOPTING REPORT AND RECOMMENDATIONS (DKT. 26)
AND DENYING MOTION TO DISMISS THE INDICTMENT (DKT. 14)

On February 18, 2011, the Honorable John S. Kaull, United States Magistrate Judge, entered a Report and Recommendation ("R&R") recommending that the Court deny the Motion to Dismiss the Indictment filed by the defendant, John Kanios ("Kanios"). The R&R further directed any party objecting to its conclusions to do so within fourteen days, or by March 4, 2011. On February 28, 2011, the Government responded that it had no objection. To date, Kanios has not filed any objection or otherwise responded to the R&R, and the time to do so has expired.

Accordingly, the Court **ADOPTS** the R&R (dkt. 26) in its entirety and **DENIES** the Motion to Dismiss the Indictment (dkt. 14).

It is so **ORDERED**.

The Court directs the Clerk to transmit copies of this Order to counsel of record.

DATED: March 7, 2011.

/s/ Irene M. Keeley

IRENE M. KEELEY

UNITED STATES DISTRICT JUDGE